

In the  
Indiana Supreme Court



IN THE MATTER OF )  
 )  
THE APPOINTMENT OF A )  
 )  
JUDGE PRO TEMPORE IN )  
 )  
MIAMI CIRCUIT COURT )

Case No. 52S00-1208-MS- 481

ORDER RESCINDING APPOINTMENT AS JUDGE PRO TEMPORE,  
APPOINTING SENIOR JUDGE AND  
INCREASING SENIOR JUDGE SERVICE DAY ALLOCATION

On August 17, 2012, this Court issued an Order appointing Senior Judge Thomas G. Wright as Judge *Pro Tempore* in the Miami Circuit Court effective September 10, 2012. Judge Wright has now informed the Court that he will be unable to serve as Judge *Pro Tempore*. Judge Wright however has reported his ability to serve as a senior judge in the Miami Circuit Court. And this Court, being duly advised, finds that the Order appointing Judge Wright as Judge *Pro Tempore* should be rescinded. Further the Court finds that continuing the orderly administration of justice necessitates appointing Judge Wright as a Senior Judge in the Miami Circuit Court and increasing the court's allotment of senior judge service days from fifteen (15) to one hundred fifteen (115).

IT IS, THEREFORE, ORDERED that the Order appointing Thomas G. Wright as Judge *Pro Tempore* in the Miami Circuit Court, effective September 10, 2012 is RESCINDED.

IT IS FURTHER ORDERED that Senior Judge Wright is appointed to serve in the Miami Circuit at the discretion of the Judge of the Court. This appointment shall remain in effect until **December 31, 2012**. Pursuant to Ind. Code §33-23-3-5, the senior judge appointed by this Court in this Order may not be compensated as senior judge for more than one hundred (100) days in the aggregate during the 2012 calendar year.

IT IS FURTHER ORDERED that the number of senior judge service days allotted to the Miami Circuit Court is increased from fifteen (15) days to one hundred fifteen (115) days for calendar year 2012.

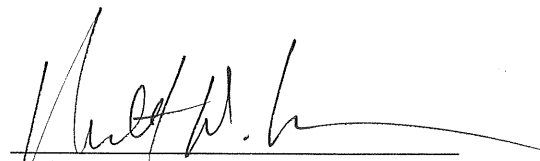
This appointment is contingent upon senior judge day limits established by this Court and it shall be incumbent upon the presiding judge of the court to ensure that the court complies with the Order setting senior judge day limits. Pursuant to Admin. R. 5(B)(4) a

senior judge shall have the same jurisdiction as the presiding judge of the court where the senior judge is appointed, but only during the days that the senior judge is serving in such court. Additionally, Admin. R. 5(B)(4) provides that a senior judge who has been appointed to serve in a court shall have the same jurisdiction as the regular judge of the court where he is serving to officiate at marriages at any time during the appointment. A senior judge may retain jurisdiction in an individual case beyond the day of service if the order of the presiding judge of the court in which the case is pending so orders.

The Clerk of this Court is directed to forward a certified copy of this order to the Honorable Robert Spahr, Miami Circuit Court, 25 North Broadway, Peru, IN 46970; to the Hon. David Grund, Miami Superior Court No. 1, 25 North Broadway, Peru, IN 46970; to the Hon. Daniel C. Banina, Miami Superior Court No. 2, 25 North Broadway, Peru, IN 46970; the Honorable Thomas G. Wright; to the clerk of the Miami Circuit and Superior Courts; the Indiana Judicial Center; to the Judicial Qualifications Commission; and to the Division of State Court Administration, Payroll Section. The Clerk is also directed to post this Order to the Court's website.

**The clerk of the Miami Circuit and Superior Courts is directed: 1) to distribute a copy of this order to the presiding judge of the Miami Circuit, 2) to enter this Order in the Record of Judgments and Orders of the court, and 3) to post this Order for public inspection.**

DONE at Indianapolis, Indiana, this 23<sup>rd</sup> day of August, 2012.



Robert D. Rucker  
Acting Chief Justice of Indiana